

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
PECOS DIVISION**

ALEXANDER FONTENOT,
Plaintiff,

v.

GENESIS PETROLEUM SERVICES, LLC
Defendant.

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PE:20-CV-00033-DC-DF

ORDER TO SHOW CAUSE

BEFORE THE COURT is Plaintiff Alexander Fontenot's ("Plaintiff") Request for Entry of Default (hereafter, "Motion"). (Doc. 16). This matter is before the undersigned Magistrate Judge through a standing order of referral pursuant to 28 U.S.C. § 636 and Appendix C of the Local Court Rules for the Assignment of Duties to United States Magistrate Judges. The Court is of the opinion that a hearing on the Motion is necessary.

On file with the Court is a return of service for Defendant Genesis Petroleum Services, LLC ("Defendant") from June 9, 2020. (Doc. 12). However, Joel Babineaux signed a Waiver of Service for Defendant, filed on August 7, 2020. (Doc. 13). Defendant has no other counsel assigned to the case, Defendant has filed no answer to the complaint and no response to the Motion, and there has been no activity in this case aside from the Motion since August 2020. With the Motion pending, seeking an entry of default, if Mr. Babineaux is not continuing to represent Defendant in this case, Defendant will need to be notified of the pendency of this suit in order to defend itself.

It is **ORDERED** that Defendant **SHOW CAUSE** as to why the Court should not rule in favor of Plaintiff in this case for Defendant's apparent failure to defend. Therefore, Defendant, Mr. Babineaux, Plaintiff, and Plaintiff's counsel are **ORDERED** to appear via Zoom for a hearing on the above-captioned and -numbered cause on **Friday, June 10, 2022, at 1:00 P.M. CT**. The Court will provide the parties with information to access the Zoom call at a later date. If Mr. Babineaux intends

to file a motion to withdraw¹ as counsel for Defendant, the merits of any such motion are to be discussed at the hearing.

The Clerk of Court is **DIRECTED** to serve and mail a copy of this order by certified mail with return receipt requested to Defendant's addresses in the Original Complaint and on the executed return of service as follows:

Genesis Petroleum Services, LLC
c/o Brennan Freeland
100 Bonnie Way
Wink, TX 79789

Genesis Petroleum Services, LLC
c/o Michelle Robinson
1019 Brazos Street
Austin, TX 78701

It is so **ORDERED**.

SIGNED this 2nd day of May, 2022.



DAVID B. FANNIN
UNITED STATES MAGISTRATE JUDGE

1. Although Mr. Babineaux is not licensed in Texas, no pro hac vice motion will be necessary in order for Mr. Babineaux to file a motion to withdraw. *See* Local Rule AT-1 (requiring pro hac vice admission “[u]nless excused by the judge presiding”).